



13281 U.S. PTO

PATENT
Attorney Docket 054824-5001-01

17858 U.S. PTO
10/722134



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
U.S. Patent and Trademark Office
2011 South Clark Place
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Crystal Plaza Two Lobby, Room 1B03
Arlington, VA 22202

CONTINUATION PATENT APPLICATION TRANSMITTAL

This is a request for filing a Continuation patent application under 37 C.F.R. 1.53(b).

1. This application is a Continuation Patent Application under 37 C.F.R. 1.53 of pending prior application No. 09/562,376 filed on May 1, 2000 of:

Inventors: 1. Katherine M. Burnett, Basking NJ
2. Ellen S. Kurtz, Ringoes NJ

For: **Anhydrous topical skin preparations**

Prior Application: 09/562,376

Examiner: Lauren Wells

Group Art Unit: 1617

2. The papers enclosed are as follows:

A new continuation application:

30 Pages of specification including
20 Pages of description
09 Pages of claims
01 Page of abstract
00 Sheets of Drawings

3. Oath or Declaration: A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference herein.
4. Relate Back (35 U.S.C. 120): This application is a continuation of U.S. Application 09/562,376 (filed May 1, 2000) which is continuation in part of U.S. Application 09/205,474 (filed December 4, 1998 and now U.S. Patent 6,238,683).
5. Assignment: The prior application is assigned of record to Johnson and Johnson Consumer Companies Inc. at Reel/Frame 011569/0591 on May 15, 2001.
6. Extension of Time in Parent Application No. 09/562,376: For the purposes of maintaining copendency between prior application 09/562,376 and this continuation application, Applicants

previously petitioned and paid for a two-month extension of time from September 27, 2003 to November 27, 2003 in prior application 09/562,376. Applicants therefore believe that no extension of time fee is due at this time. If an additional extension of time is required, however, please consider this a Petition therefor.

7. Fee Calculation (37 C.F.R. 1.16):

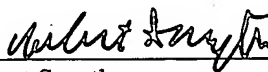
Claims For Fee Calculation				
	Number Filed	Extra	at Rate of	Basic Fee \$750.00
Total Claims	00 - 20	00	\$ 18.00 each =	+\$0.00
Independent Claims	00 - 3	00	\$ 84.00 each =	+\$0.00
Multiple dependent claims			\$280.00	+\$0.00
Sub-total =				\$0.00
Reduction by ½ for filing by a small entity				-\$0.00
Total Filing Fee =				\$0.00

8. **Fee Payment:** No **Filing Fee** is being paid by check or deposit account at this time. This application is being filed under the provisions of 37 C.F.R. 1.53(f). Applicant awaits notification from the Patent and Trademark Office of the time set for paying the filing fees.
10. **Additional Papers Filed:**
i. Copy of inventor declarations
ii. Copy of revocation and grant of power of attorney from U.S. application 09/562,376
11. **Please address all correspondence to Morgan, Lewis & Bockius LLP at Customer No. 009629.**
12. **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be an **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Please accord this new U.S. Continuation Application a serial number and filing date.

Dated: November 26, 2003
Morgan, Lewis & Bockius LLP
Customer No. 09629
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted
Morgan, Lewis & Bockius LLP


Robert Smyth
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